

A.C.A. § 17-29-403

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*** CURRENT THROUGH THE 2011 REGULAR SESSION AND UPDATES ***
*** FROM THE ARKANSAS CODE REVISION COMMISSION THROUGH ***
*** JUNE 2, 2011 ***

Title 17 Professions, Occupations, and Businesses
Subtitle 2. Nonmedical Professions
Chapter 29 Embalmers, Funeral Directors, and Funeral Establishments
Subchapter 4 -- Embalmers and Funeral Directors Law -- Enforcement

A.C.A. § 17-29-403 (2011)

17-29-403. Civil penalties -- Attorney's fees -- Code of conduct.

(a) Whenever the State Board of Embalmers and Funeral Directors, after a hearing conducted in accordance with the Arkansas Administrative Procedure Act, § 25-15-201 et seq., determines that a person has violated any provision of § 17-29-201 et seq. and § 17-29-301 et seq., or any regulations promulgated by the board pursuant thereto, the board may impose a civil penalty on such a person not to exceed ten thousand dollars (\$10,000).

(b) If a person against whom a civil penalty has been imposed by the board fails to pay the penalty, the board may file an action in the Pulaski County Circuit Court to collect the civil penalty.

(c) If the board prevails in the action, the defendant shall be directed to pay, in addition to the civil penalty, reasonable attorney's fees and costs incurred by the board in prosecuting the action.

(d) Upon determination by the board that a licensee has committed malpractice, the board may suspend or revoke the license or impose the civil penalty provided in subsection (a) of this section or impose the civil penalty in addition to the suspension or revocation. Furthermore, the board may promulgate a code of conduct for its licensees, the violation of which may result in the imposition of the penalties prescribed in this subsection.

HISTORY: Acts 1985, No. 217, § 2; A.S.A. 1947, § 71-927; Acts 1989, No. 106, § 5; 1997, No. 839, § 8.